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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.855 OF 2006
IN
EXECUTION APPLICATION NO.271 OF 2005
IN
SUIT NO.302 OF 1997

M/s.Kovai Golden Sun Impex ... Plaintiff
versus
Standard Industries Ltd. ... Defendant

Mr.K.K.Shroff i/by Akshar Laws for plaintiff.
Mr.S.J.Mishra i/by S.R.S.Legal for defendant.

CORAM : A.M.KHANWILKAR, J.

DATE : 25th July 2007

PC :

1. In terms of order dated 9th August 2006 the applicant-defendant has already deposited a sum of Rs.5.00 lakh (Rs.Five lakh only) in this Court. I am informed that the defendant has carried the matter in an appeal which is still pending. If the appeal fails, the plaintiff will be entitled to withdraw the amount already deposited by the defendant in this Court. Besides, in terms of clause-4 of the order dated 9th August 2006, ad-interim order shall also stand vacated. On the other hand, if the appeal

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succeeds, the matter will have to proceed further. Taking any view of the matter it is submitted on behalf of the plaintiff that nothing survives for consideration in the present Chamber Summons and the same can be disposed of.

2. Counsel for the defendant, however, submits that settlement talks are in progress and in all probability all the issues will be amicably resolved. If that happens, that position can be placed on record in the pending appeal, if so advised.

3. Accordingly, while accepting the suggestion of the counsel for plaintiff, this Chamber Summons is disposed of on the above terms.

(A.M.KHANWILKAR, J.)